

REMARKS

This is a full and timely response to the non-final Office Action of March 11, 2004. Reexamination, reconsideration, and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this First Response, claims 1-51 are pending in this application. Claims 1, 3, 4, 6-8, 10-16, 18, 19, 22-24, and 26-31 are directly amended herein, and claims 33-51 are newly added. It is believed that the foregoing amendments add no new matter to the present application.

Response to §103 Rejections

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, *e.g.*, *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

Claim 1

Claim 1 presently stands rejected under 35 U.S.C. §103 as purportedly unpatentable over *Watanabe* (U.S. Patent No. 6,344,907). Claim 1 reads as follows:

1. A system for enabling users to edit graphical images, comprising:
memory for storing graphical data; and
an image manager configured to render a first set of said graphical data defining a first image based on a first setting of a pixel color parameter, *said image manager configured to render a second set of said graphical data defining a second image based on a second setting of said pixel color parameter in response to a user input and to render a third set of said graphical data defining a third image based on a third setting of said pixel color parameter in response to said user input, said second setting different than said third setting thereby enabling a user to comprehend, by visually comparing said second and third images, an effect of updating said pixel color parameter for said first image.* (Emphasis added).

In rejecting claim 1, it is alleged in the Office Action that the apparatus in *Watanabe* displays a "first image" (AT) that is based on a "first setting" of an "editing parameter." However, the alleged "editing parameter" appears to control object dimensions and, in particular, is not a "pixel color parameter," such as color brightness, color vividness, or contrast, for example. Thus, *Watanabe* fails to suggest at least an "image manager" configured to render a second set of graphical data and a third set of graphical data, wherein the settings of a "*pixel color parameter*" for the first and second sets of graphical data are different "thereby enabling a user to comprehend, by visually comparing said second and third images, an effect of updating said pixel color parameter for said first image," as recited by claim 1. (Emphasis added).

For at least the above reasons, Applicant respectfully asserts that *Watanabe* fails to suggest each feature of pending claim 1. Accordingly, the 35 U.S.C. §103 rejection of claim 1 is improper and should be withdrawn.

Claims 2-9 and 33-42

Claims 2-9 presently stand rejected in the Office Action under 35 U.S.C. §103 as allegedly unpatentable over *Watanabe*. Further, claims 33-42 have been newly added via the amendments set forth herein. Applicant submits that the pending dependent claims 2-9 and 33-42 contain all features of their respective independent claim 1. Since claim 1 should be allowed, as argued hereinabove, pending dependent claims 2-9 and 33-42 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 10

Claim 10 presently stands rejected under 35 U.S.C. §103 as purportedly unpatentable over *Watanabe*. Claim 10 reads as follows:

10. A system for enabling users to edit graphical images, comprising:
memory for storing graphical data; and
an image manager configured to render, within a first graphical window, a first set of said graphical data defining a first image based on a first setting of an editing parameter, said image manager further configured to receive a user input for selecting said editing parameter and to render a second graphical window in response to said user input, said second graphical window including a second image based on a second setting of said editing parameter and a third image based on a third setting of said editing parameter, said second setting different than said third setting thereby enabling a user to comprehend, by visually comparing said second image to said third image, an effect of updating said editing parameter for said first image.
(Emphasis added).

Applicant respectfully asserts that *Watanabe* fails to suggest or teach at least the features of pending claim 10 highlighted hereinabove. Thus, *Watanabe* is inadequate to reject claim 10 under 35 U.S.C. §103.

In this regard, it is alleged in the Office Action that Figure 8 of *Watanabe* shows a "first image," a "second image," and a "third image." However, it appears that each of the alleged

images are displayed within the same "graphical window." In particular, it appears that AS1-AS4 represent "icons" that are displayed within the same "graphical window" as image (AT). Thus, Applicant asserts that *Watanabe* fails to suggest at least "an image manager configured to render, within a first graphical window, a first set of said graphical data" and to render, in response to a "user input for selecting said editing parameter," a "second graphical window including a second image based on a second setting of said editing parameter and a third image based on a third setting of said editing parameter," as recited by claim 10. (Emphasis added).

For at least the above reasons, Applicant respectfully asserts that *Watanabe* fails to suggest each feature of pending claim 10. Accordingly, the 35 U.S.C. §103 rejection of claim 10 is improper and should be withdrawn.

Claims 11-17 and 43-45

Claims 11-17 presently stand rejected in the Office Action under 35 U.S.C. §103 as allegedly unpatentable over *Watanabe*. Further, claims 43-45 have been newly added via the amendments set forth herein. Applicant submits that the pending dependent claims 11-17 and 43-45 contain all features of their respective independent claim 10. Since claim 10 should be allowed, as argued hereinabove, pending dependent claims 11-17 and 43-45 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 18

Claim 18 presently stands rejected under 35 U.S.C. §103 as purportedly unpatentable over *Watanabe*. Claim 18 reads as follows:

18. A method for enabling users to edit graphical images, comprising the steps of:
 rendering a first set of graphical data based on a first setting of a pixel color parameter;
 displaying a first image based on said rendered first graphical data set;
 rendering, in response to a user input, a second set of said graphical data based on a second setting of said pixel color parameter;
 displaying a second image based on said rendered second graphical data set;
 rendering, in response to said user input, a third set of said graphical data based on a third setting of said pixel color parameter, said third setting different than said second setting; and
 displaying a third image based on said rendered third graphical data set thereby enabling a user to comprehend, by visually comparing said second image to said third image, an effect of updating said pixel color parameter for said first image. (Emphasis added).

For at least the reasons set forth above in the arguments for allowance of claim 1, Applicant respectfully asserts that *Watanabe* fails to suggest at least the features of claim 18 highlighted above. Accordingly, the 35 U.S.C. §103 rejection of claim 18 is improper and should be withdrawn.

Claims 19-25 and 46

Claims 19-25 presently stand rejected in the Office Action under 35 U.S.C. §103 as allegedly unpatentable over *Watanabe*. Further, claim 46 has been newly added via the amendments set forth herein. Applicant submits that the pending dependent claims 19-25 and 46 contain all features of their respective independent claim 18. Since claim 18 should be allowed, as argued hereinabove, pending dependent claims 19-25 and 46 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 26

Claim 26 presently stands rejected under 35 U.S.C. §103 as purportedly unpatentable over *Watanabe*. Claim 26 reads as follows:

26. A method, comprising the steps of:
rendering a first set of graphical data based on a first setting of an editing parameter;
displaying, within a first graphical window, a first image based on said rendered first graphical data set; and
rendering a second graphical window in response to a user input for selecting said editing parameter, said second graphical window including a second image based on a second setting of said editing parameter and a third image based on a third setting of said editing parameter, said second setting different than said third setting thereby enabling a user to comprehend, by visually comparing said second image to said third image, an effect of updating said editing parameter for said first image. (Emphasis added).

For at least the reasons set forth above in the arguments for allowance of claim 10, Applicant respectfully asserts that *Watanabe* fails to suggest at least the features of claim 26 highlighted above. Accordingly, the 35 U.S.C. §103 rejection of claim 26 is improper and should be withdrawn.

Claims 27-32

Claims 27-32 presently stand rejected in the Office Action under 35 U.S.C. §103 as allegedly unpatentable over *Watanabe*. Applicant submits that the pending dependent claims 27-32 contain all features of their respective independent claim 26. Since claim 26 should be allowed, as argued hereinabove, pending dependent claims 27-32 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 47

Claim 47 has been newly added via the amendments set forth herein. Claim 47 presently reads as follows:

47. A system for enabling users to edit graphical images, comprising:
memory for storing graphical data; and
an image manager configured to render a first set of said graphical data defining a first image based on a first setting of an editing parameter for controlling image color and to enable a user to select among different editing parameters for controlling image color, said image manager further configured to render, in response to a user input for selecting at least one of said editing parameters, a second set of graphical data defining a second image based on a second setting of said editing parameter and a third set of graphical data defining a third image based on a third setting of said editing parameter, said second setting different than said third setting thereby enabling a user to comprehend, by visually comparing said second and third images, an effect of updating said editing parameter for said first image.

Applicant respectfully asserts that the cited art fails to disclose or suggest each of the above features of claim 47. Accordingly, claim 47 is allowable.

Claims 48-51

Claims 48-51 have been newly added via the amendments set forth herein. Applicant submits that the pending dependent claims 48-51 contain all features of their respective independent claim 47. Since claim 47 should be allowed, as argued hereinabove, pending dependent claims 48-51 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

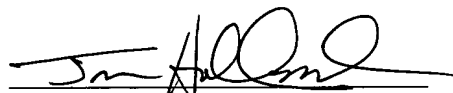
CONCLUSION

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicant's response, the Examiner is encouraged to telephone Applicant's undersigned counsel.

Respectfully submitted,

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